

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DETROIT POLICE OFFICERS ASSOCIATION et al.,

Plaintiffs,

v.

Case No. 2:08-cv-12064

Hon. George Caram Steeh

CITY OF DETROIT

Defendant.

**GREGORY, MOORE, JEAKLE,
HEINEN & BROOKS, P.C.**

**By: Scott A. Brooks (P35773)
Attorneys for Plaintiffs
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**VANOVERBEKE, MICHAUD &
TIMMONY, P.C.**

**By: John P. (“Jack”) Timmony (P34892)
and Aaron L. Castle (P70960)
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STIPULATION AND ORDER TO DELAY EXCHANGE OF WITNESS LISTS

NOW COME the parties, by and through their attorneys, and for their Stipulation and Order to delay the exchange of witness lists in this matter, do stipulate and agree to the following:

1. This lawsuit involves the claim by hundreds of Detroit police officers that the City of Detroit Police Department violated their rights under the Fair Labor Standards Act (“FLSA”) by refusing to permit the officers to utilize banked compensatory time upon request for specific dates over the past several years.

2. In addition to undertaking an extensive discovery effort requiring the duplication and production of numerous documents representing officers’ requests to utilized accrued FLSA

compensatory time, the parties are also actively pursuing an amicable resolution to the claims raised by the Plaintiffs in their pleadings.

3. As a result of their extensive settlement negotiations, the parties have agreed upon a tentative settlement for a portion of the case and are currently in the process of collecting and reviewing data from each of the hundreds of individual Plaintiffs in an attempt to reasonably calculate each Plaintiff's damages.

4. Accordingly, the parties agree that an exchange of witness lists at this point in the litigation would be ineffectual, and that delaying the exchange would better serve both parties.

5. Consequently, the parties further agree that either party may require the exchange of witness lists to occur at any time prior to the discovery cutoff date in this matter upon seven (7) days written notice to the other party.

6. The exchange of witness lists between the parties shall not occur any later than April 14, 2010, the discovery cutoff date in this matter.

Respectfully submitted,

s/ Scott A. Brooks (w/consent)
Scott A. Brooks (P35773)
Attorney for Plaintiffs

s/ Aaron L. Castle
John P. Timmony (P34892)
Aaron L. Castle (P70960)
Attorneys for Defendant City of Detroit

Dated: March 10, 2010

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DETROIT POLICE OFFICERS ASSOCIATION et al.,

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v.

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Hon. George Caram Steeh

CITY OF DETROIT

Defendant.

**ORDER GRANTING DELAY IN
EXCHANGING WITNESS LISTS**

The parties having agreed and stipulated that they would be better served by delaying the exchange of witness lists in this matter, IT IS ORDERED THAT:

1. Exchange of witness lists between the parties to this matter may be delayed as agreed upon by the parties.
2. Either party to this matter may require the exchange of witness lists to occur upon seven (7) days notice to the opposing party.
3. Exchange of witness lists in this matter shall occur no later than the discovery cutoff date of April 14, 2010 as set out by this Court in its Scheduling Order.

IT IS SO ORDERED.

S/George Caram Steeh
GEORGE CARAM STEEH
United States District Judge

Dated: March 11, 2010